
New York's Comprehensive Insurance Disclosure Act and Recent Amendments Establish New Insurance Disclosure Obligations for Defendants

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In December 2021, the New York legislature passed the Comprehensive Insurance Disclosure Act (the "Act"), which required defendants in civil litigations in New York State courts to disclose certain information relating to their insurance coverage, including copies of applicable insurance policies, contact information for insurance adjusters, amounts available under the policies to satisfy the judgment, information related to lawsuits or claims that have eroded coverage, and copies of insurance applications. The Act was criticized for imposing onerous new requirements on defendants, and in response to those criticisms, the Act was amended on February 24, 2022, eliminating many of the more burdensome obligations in the original version of the law. However, even as amended, the Act, which is now in effect, will impose significant disclosure obligations of which defendants in New York should be aware.

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